



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office for Civil Rights

Office for Civil Rights • 200 Independence Ave., S.W.
Washington, DC 20201 •
Voice: (202) 619-0403 • TDD: (202) 619-3257
Fax: (202) 619-3818 • www.hhs.gov/ocr

February 3, 2025

VIA ELECTRONIC MAIL

John R. Fouts

[REDACTED]
Fouts.john@gmail.com

Re: OCR Transaction Number: 24-585169

Dear Mr. Fouts,

The U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR) received your complaint against the Kentucky Department for Medicaid Services (the State). The complaint alleges that the State is discriminating against you on the basis of disability.

Specifically, you allege that the State is failing to provide you with personal care assistance, home modifications, durable medical equipment, medical transportation, housekeeping duties, and assistance with errands services in a timely manner, placing you at risk of institutionalization.

On October 2, 2024, OCR spoke with you about your complaint and subsequently communicated with you via email.

On January 23, 2025, you informed OCR that the federal court complaint that you recently filed overlaps significantly with the violations described in your OCR complaint. Specifically, you state that,

both address systemic barriers and discrimination under federal law. However, the federal court filings also include additional details and examples specific to the judiciary's procedural failures, such as ignored filings and systemic obstruction of justice, which are critical to the broader context of this case.

We understand the importance of the issues you have raised and encourage you to continue to pursue resolution of your concerns through the federal court process. Should the federal court resolve the matter or otherwise dismiss the case, you are welcome to refile a complaint with OCR to determine whether we may further assist you at that time.

If you have any questions about this matter, please contact Amelia Colomb Olmstead and Community Integration Enforcement Analysts, at amelia.colomb@hhs.gov.

Sincerely,

Mordecai Simha

Mordecai Y. Simha
Olmstead and Community Integration Senior Manager
Office for Civil Rights
U.S. Department of Health and Human Services